

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STUDENT DOE 4,

Plaintiff,

v.

TODD LYONS et al.,

Defendant.

CASE NO. 2:25-cv-00708-DGE

ORDER ON MOTION FOR
TEMPORARY RESTRAINING
ORDER (DKT. NO. 3)

I INTRODUCTION

On September 22, 2022, Plaintiff—who is a citizen of China—was admitted to the United States on an F-1 visa to attend the University of Washington (“UW”) as an undergraduate student. (Dkt. No. 3-1 at 1.) Plaintiff has remained in good standing at UW since beginning her degree. (*Id.*) On April 8, 2025, UW informed Plaintiff that her record within the Student and Exchange Visitor Information System (“SEVIS”) maintained by Immigration and Customs Enforcement (“ICE”) had been terminated and was no longer in an active status. (*Id.*) Specifically, the letter informed Plaintiff that both her SEVIS record and I-20 were terminated.

1 (*Id.*) The purported reason for termination was Plaintiff’s alleged failure to maintain her
2 nonimmigrant status based on a “criminal records check” and/or a visa revocation. (*Id.* at 1–2.)

3 Plaintiff brings claims under the Administrative Procedures Act (“APA”) and the Fifth
4 Amendment against the Secretary of Homeland Security and the Department, and the ICE Acting
5 Director (collectively, “Defendants”). (Dkt. No. 1 at 5–6, 13–16). Plaintiff moves for a
6 Temporary Restraining Order (“TRO”) enjoining Defendants from terminating her F-1 student
7 status under the SEVIS system and enjoining Defendants from taking enforcement action against
8 Plaintiff based on the termination. (Dkt. No. 3 at 9.) Because Plaintiff is likely to succeed in her
9 argument that Defendants’ actions were arbitrary and capricious, and not in accordance with law,
10 the Court will grant the TRO. *See* 5 U.S.C. § 706(2)(A).

11 This case is related to several other F-1 visa termination cases in this district, including
12 the first-filed case *Doe v. Noem*, No. 2:25-cv-00633-DGE, in which this court granted a TRO. --
13 - F.Supp.3d ---, 2025 WL 1141279 (W.D. Wash. April 17, 2025.) This order applies
14 substantially and builds on the same reasoning as the original *Doe* case.

15 II BACKGROUND

16 A. The F-1 Visa Program and SEVIS

17 Pursuant to the Immigration and Nationality Act (“INA”), a foreign student may enter the
18 United States in a nonimmigrant status to complete a course of study at an approved educational
19 institution. 8 U.S.C. § 1101(a)(15)(F)(i); 8 C.F.R. § 214.2(f). If approved, the State Department
20 will issue a visa allowing the student admission to the United States to pursue their course of
21 study. *See* 22 C.F.R. § 41.61(b)(1). If admitted, DHS may administratively designate the
22 student as an F-1 nonimmigrant classification. 8 C.F.R. § 214.1(a)(2). A key component to
23 admission as an F-1 nonimmigrant student is the presentment of Form I-20, which is “issued in
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1 the student's name by a school certified by the Student and Exchange Visitor Program (SEVP)
2 for attendance by F-1 foreign students." 8 C.F.R. § 214.2(f)(1)(i)(A). The F-1 student's Form I-
3 20 is endorsed at the time of entry into the United States and the F-1 student is responsible for
4 "retain[ing] for safekeeping the initial form I-20 or successor form bearing the admission number
5 and any subsequent form I-20 issued to them." 8 C.F.R. § 214.2(f)(1)(ii), (f) (2).

6 An F-1 student may remain in the United States for the duration of their studies so long
7 as they continue to meet the requirements outlined in the regulations. 8 C.F.R. § 214.2(f)(5)(i)
8 ("Duration of status is defined as the time during which an F-1 student is pursuing a full course
9 of study at an educational institution certified by SEVP for attendance by foreign students"). If a
10 student "fails to maintain a full course of study without the approval of a [Designated School
11 Official ("DSO")] or otherwise fails to maintain status," they must depart the United States
12 immediately or seek reinstatement.¹ 8 C.F.R. § 214.2(f)(5)(iv); *see also* 8 U.S.C. § 1184(a)(1).
13 Work authorization for F-1 students is governed by 8 C.F.R. § 274.12(b)(6). The regulation
14 specifies certain classes of noncitizens who are "authorized for employment with a specific
15 employer incident to status or parole" and may work subject to any conditions of their

17 ¹ A student may seek reinstatement by submitting an I-539, Application to Extend/Change
18 Nonimmigrant status to United States Citizenship & Immigration Service ("USCIS") and a Form
19 I-20 or a successor form indicating a DSO's recommendation for reinstatement. 8 C.F.R.
20 § 214.2(f)(16)(i). Pursuant to the regulations, a district director "may consider" reinstatement if:
21 (1) student has not been out of status for more than five months at the time of filing or the failure
22 to seek reinstatement within five months was due to exceptional circumstances; (2) student
23 "[d]oes not have a record of repeated or willful violations of DHS regulations; (3) student is
24 pursuing or intending to pursue a full course of study at the school that issued the Form I-20 or
successor form; (4) student has not engaged in unauthorized unemployment; (5) student is not
deportable pursuant to § 237 of the INA; and (6) USCIS is satisfied the violation of status was
beyond the student's control, or the "violation relates to a reduction in the student's course load
that would have been within a DSO's power to authorize, and that failure to approve
reinstatement would result in extreme hardship to the student." 8 C.F.R. § 214.2(f)(16)(i)(A)–(F).
USCIS's decision to deny reinstatement is unreviewable. *See* 8 C.F.R. § 214.2(f)(16)(ii).

1 nonimmigrant classification, without additional documentation from DHS.² In other words, a
2 student who is maintaining status under 8 C.F.R. § 214.2(f) is eligible for employment consistent
3 with the terms described in that section.

4 A nonimmigrant student's legal status is governed by the F-1 visa system, which is
5 administered by ICE through its Student and Exchange Visitor Program (SEVP). *Jie Fang v.*
6 *Dir. U.S. Immigr. & Customs Enf't*, 935 F.3d 172, 175 (3d Cir. 2019). In turn, SEVIS is an
7 SEVP-managed internet system that tracks and maintains information on nonimmigrant students.
8 *See* 8 C.F.R. § 214.3(a)(l). To implement the F-1 visa program, SEVP certifies participating
9 educational institutions, allowing those institutions to issue a Form I-20 in the student's name in
10 SEVIS.³ SEVP regulations also govern the termination of F-1 student status in SEVIS. 8 C.F.R.
11 § 214.2(f). A student may fall out of F-1 status by: (1) failing to meet the regulatory
12 requirements for F-1 student status or (2) via an agency related termination of status. 8 C.F.R.
13 §§ 214.1(d), 214.2(f)(5)(iv).⁴ DHS can terminate an F-1 student's status in three ways: 1) by
14 revoking a previously authorized waiver under 8 U.S.C. § 1182(d)(3) or §1182(d)(4); 2) through
15 the introduction of a private bill in Congress to confer permanent resident status; or 3) if DHS
16 publishes a notification in the Federal Register, on the basis of national security, diplomatic, or
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19 ² That includes "[a] nonimmigrant (F-1) student who is in valid nonimmigrant student status and
20 pursuant to 8 § C.F.R. 214.2(f)" is seeking (i) on campus employment, part time during the
21 academic year or full time when school is not in session, (iii) CPT programs as authorized by the
22 DSO and I-20, (iv) OPT employment as designated on a form I-766, and (v) a student who is
23 seeking H-1B status and whose F-1 status has been extended in the interim (*see* 8 C.F.R.
24 §§ 212.2(h); 214.2(f)(5)(vi)).

³ *Study in the States*, Dep't of Homeland Sec. (last accessed Apr. 16, 2025),
<https://studyinthestates.dhs.gov/site/about-sevis>; 8 C.F.R. § 214.2(f)(1)(i)–(iii).

⁴ The regulations detail circumstances under which the visa holder may be considered to fail to
maintain status, including unauthorized employment, willful failure to provide truthful
information to DHS, or certain qualifying criminal convictions. 8 C.F.R § 214.1(e)–(g).

1 public safety reasons. 8 C.F.R. § 214.1(d). DHS’s ability to terminate an F-1 student’s status is
2 limited to the three ways enumerated in § 214.1(d). *See Jie Fang*, 935 F.3d at 185 n.100.

3 **B. Defendants Terminate Plaintiff’s Record in SEVIS**

4 In September of 2022, Plaintiff was admitted to the United States on an F-1 visa to study
5 as an undergraduate at UW. (Dkt. No. 3-1 at 1.) She was most recently admitted to the United
6 Status on her F-1 visa on July 16, 2024, to continue her studies as a junior in college. (*Id.*) Prior
7 to the notice of SEVIS termination, Plaintiff was taking classes towards her bachelor’s degree
8 and working as a student assistant in Housing and Food Services at UW. (*Id.*) On April 8, 2025,
9 Plaintiff received an email from UW stating: “After reviewing UW’s SEVIS immigration
10 records, we have discovered that as of today, 4/08/2025, your SEVIS record and I-20 were
11 marked as ‘terminated by’ the Student & Exchange Visitor Program.” (Dkt. No. 10-1 at 1.)
12 The termination reason in SEVIS stated: “Otherwise failing to maintain status - individual
13 identified in criminal records check and/or has had their VISA revoked.” (Dkt. No. 3-1 at 1–2.)
14 Plaintiff also received a letter from Housing and Food Services, which stated: “We have been
15 informed by International Student Services that your SEVIS record has been terminated, and you
16 no longer have authorization to work on campus. This is to notify you that you are dismissed
17 from your position as a Student Assistant with Housing & Food Services at the University of
18 Washington, effective the date of this letter. We are taking this action because you currently do
19 not have authorization to work in the U.S.” (Dkt. No. 10-3 at 1.)

20 On April 9, 2025, Plaintiff received an email from the United States Embassy in Beijing
21 stating that her student visa had been revoked. (Dkt. No. 10-2 at 1.) The notice did not provide
22 an explanation for the revocation. (*Id.*) The notice included a paragraph stating:

23 Remaining in the United States without a lawful immigration status can result in fines,
24 detention, and/or deportation. It may also make you ineligible for a future U.S. visa.

1 Please note that deportation can take place at a time that does not allow the person being
2 deported to secure possessions or conclude affairs in the United States. Persons being
deported may be sent to countries other than their countries of origin.

3 (*Id.*)

4 Plaintiff states that: “[i]n May 2024, I was cited in connection with an incident at a
5 Sephora store. This matter did not result in a conviction, and was instead resolved civilly
6 through a compromise of a misdemeanor in August 2024.” (Dkt. No. 3-1 at 3.) Plaintiff attests
7 that she has “not had any other involvement with law enforcement” during her time as a UW
8 student. (*Id.*) Plaintiff has “always been in good standing at the university and [has] maintained
9 [her] student status,” she states. (*Id.* at 1.)

10 As a result of the sudden SEVIS termination, Plaintiff lost her part time job at UW, which
11 is “an important source of income for [her].” (*Id.* at 3.) Additionally, Plaintiff has been
12 “overwhelmed by fear and anxiety” and has not “dared to leave her home, constantly worrying
13 that [she] may be detained by immigration authorities.” (*Id.*) She has a painful cavity in her
14 tooth that requires dental treatment but is “too afraid to seek medical care given [her]
15 immigration status and fear of encountering authorities.” (*Id.* at 4.) She is “terrified” about the
16 repercussions of losing her student status, which endangers her ability to complete her
17 undergraduate program and subjects her to risk of detention and removal. (*Id.* at 4.)

18 Plaintiff alleges multiple causes of action under the APA: arbitrary and capricious agency
19 action, action in excess of statutory and regulatory authority, action without observance of
20 procedure required by law, and action that is contrary to constitutional right. *See* 5 U.S.C.
21 §§ 706(2)(A), 706(2)(C), 706(2)(D), 706(2)(B). (Dkt. No. 1 at 13–16.) She further alleges a
22 Fifth Amendment Procedural Due Process violation. (*Id.* at 14.) Plaintiff seeks a TRO and
23 subsequently a Preliminary Injunction (PI) that declares the termination of her SEVIS status
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1 unlawful, vacates the termination of the SEVIS status, and orders Defendants to immediately
2 restore her SEVIS record and status. (*Id.* at 16.)

3 III LEGAL STANDARD

4 Federal Rule of Civil Procedure 65(b) governs the issuance of a TRO. “The legal
5 standard for a TRO is substantially identical to the standard for a preliminary injunction.”
6 *Facebook, Inc. v. BrandTotal Ltd.*, 499 F. Supp. 3d 720, 732 (N.D. Cal. 2020). To obtain
7 injunctive relief, the moving party must show: (1) a likelihood of success on the merits; (2) a
8 likelihood of irreparable harm to the moving party in the absence of preliminary relief; (3) that
9 the balance of equities tips in favor of the moving party; and (4) that an injunction is in the
10 public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). Generally, a TRO
11 is “an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is
12 entitled to such relief.” *Id.* at 22. The moving party has the burden of persuasion. *Hill v.*
13 *McDonough*, 547 U.S. 573, 584 (2006). “The third and fourth factors, harm to the opposing
14 party and the public interest, merge when the Government is the opposing party.” *Nken v.*
15 *Holder*, 556 U.S. 418 (2009).

16 The Ninth Circuit has also articulated an alternative “sliding scale” approach pursuant to
17 which the first and third *Winter* factors are analyzed on a continuum; under such standard, a
18 weaker showing on the merits, combined with a stronger demonstration on the balancing test,
19 might warrant preliminary injunctive relief, assuming the second and fourth *Winter* elements are
20 met. *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131–1135 (9th Cir. 2011).
21 Under this “sliding scale” method, the movant need only raise “serious questions going to the
22 merits,” but the balance of hardships must tip “sharply” in the movant’s favor. *Id.* at 1131–1132;
23 *see also Farris v. Seabrook*, 677 F.3d 858, 864 (9th Cir. 2012).

IV JURISDICTION

“Section 704 of the APA provides for judicial review of ‘[a]gency action made reviewable by statute and final agency action for which there is no other adequate remedy in a court.’” *Int’l Bhd. of Teamsters v. U.S. Dep’t of Transp.*, 861 F.3d 944, 952 (9th Cir. 2017) (quoting 5 U.S.C. § 704). As no statute authorizes judicial review over the termination of SEVIS records, the singular issue here is whether Defendants’ termination of Plaintiff’s SEVIS record was “final” agency action for which there was no other “adequate remedy.” 5 U.S.C. § 704. *C.f.* *Cabaccang v. U.S. Citizenship & Immigr. Servs.*, 627 F.3d 1313, 1316 (9th Cir. 2010). For agency action to be deemed final, it must “mark the consummation of the agency’s decision-making process” and “the action must be one by which rights or obligations have been determined, or from which legal consequences will flow.” *Bennett v. Spear*, 520 U.S. 154, 177–178 (1997) (internal quotation marks omitted).

As an initial matter, it is apparent that the termination of Plaintiff’s SEVIS record is an agency action that implicates “rights and obligations” and may well result in “legal consequences.” *Id.*; *see also Jie Fang*, 935 F.3d at 180. Next, the action appears to constitute the consummation of the agency’s decimating process for two reasons. First, “there is no statutory or regulatory requirement that a student seek reinstatement” of student status in SEVIS, and even if a student attempts to pursue the administrative procedure for SEVIS reinstatement, there is no “mechanism to review the propriety” of the original termination. *Jie Fang*, 935 F.3d at 182; *see* 8 C.F.R § 214.2(f)(16)(ii) (“The adjudicating officer will update SEVIS to reflect USCIS’ decision. If USCIS does not reinstate the student, the student may not appeal the decision.”). Second, since neither immigration judges nor the BIA have the authority to review SEVIS termination or a USCIS denial of reinstatement, there is no proceeding in which a student

1 can contest the agency action at issue here. *Jie Fang*, 935 F.3d at 185.; *Ghorbani v. I.N.S.*, 686
 2 F.2d 784, 791 (9th Cir.1982); *Tooloe v. I.N.S.*, 722 F.2d 1434, 1438–1439 (9th Cir. 1983).
 3 Thus, the termination of Plaintiff’s F-1 student status in SEVIS was not “of a merely tentative or
 4 interlocutory nature,” but rather a unilateral determination with immediate legal consequences
 5 over which Plaintiff has no ability to seek administrative review. *Bennett*, 520 U.S. at 177–178.
 6 Accordingly, the Court finds it has jurisdiction to proceed. *C.f. Jie Fang*, 935 F.3d at 182 (“[t]he
 7 order terminating these students’ F-1 visas marked the consummation of the agency’s
 8 decisionmaking process, and is therefore a final order”).

9 V ANALYSIS

10 A. Plaintiff is Likely to Succeed in the Argument that Termination of Her SEVIS 11 Record was Unlawful

12 Under the APA, a court shall “hold unlawful and set aside agency action” that is
 13 “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” 5
 14 U.S.C. § 706(2)(A). Here, based on the limited record before the Court, Plaintiff has
 15 demonstrated a likelihood of success on two independent grounds under § 706(2)(A): that
 16 Defendants’ termination of her SEVIS record was not in accordance with law, and that it was
 17 arbitrary and capricious.⁵

18 1. Not In Accordance with Law

19 i. *Agencies Must Follow Their Own Regulations*

20 It is contrary to law for an agency to disregard its own regulations and policies. *See Nat’l*
 21 *Ass’n of Home Builders v. Norton*, 340 F.3d 835, 852 (9th Cir. 2003); *Wallace v. Christensen*,

23 ⁵ Because the Court finds that Plaintiff has established likelihood of success on her APA claim,
 24 the Court does not reach her Fifth Amendment Due Process claim at this time.

1 802 F.2d 1539, 1552 n.8 (9th Cir. 1986) (an agency is “bound by its own regulations so long as
2 they remain in force.”). As the District of Columbia Circuit has explained:

3 In a series of decisions, the Supreme Court has entertained challenges to agency actions
4 that failed to conform to agency regulations. In *SEC v. Chenery Corp.*, 318 U.S. 80, 87–
5 88 (1943), the Court held that an agency is bound to the standards by which it professes
its action to be judged. In *Accardi*, a case involving a habeas challenge to the denial of
6 suspension of deportation, the Court objected to the agency’s ‘alleged failure to exercise
its own discretion contrary to existing valid regulations.’

7 *Lopez v. Fed. Aviation Admin.*, 318 F.3d 242, 246 (D.C. Cir. 2003), *as amended* (Feb. 11, 2003)
8 (quoting *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268, (1954)) (parallel
9 citation omitted). Moreover, “‘a court’s duty to enforce an agency regulation, while most
10 evident when compliance with the regulation is mandated by the Constitution or federal law,’
embraces as well agency regulations that are not so required.” *Id.* at 247 (alterations omitted)
11 (quoting *United States v. Caceres*, 440 U.S. 741, 749 (1979)).

12 The Ninth Circuit has affirmed that “[p]ursuant to the *Accardi* doctrine, an administrative
13 agency is required to adhere to its own internal operating procedures.” *Church of Scientology of*
14 *California v. United States*, 920 F.2d 1481, 1487 (9th Cir. 1990); *see also United States v. Nixon*,
15 418 U.S. 683, 696 (1974); *Arizona Grocery Co. v. Atchison, T. & S. F. Ry. Co.*, 284 U.S. 370,
16 389 (1932). Courts have framed the obligation for an agency to follow its own regulations as
17 deriving from § 706(2)(A) or other APA provisions. *See, e.g., Suncor Energy (U.S.A.), Inc. v.*
18 *United States Env’t Prot. Agency*, 50 F.4th 1339, 1352 (10th Cir. 2022) (holding that EPA action
19 violated § 706(2)(A) because it ignored the agency’s regulatory definition of “facility”); *Kidd v.*
20 *Mayorkas*, 734 F. Supp. 3d 967, 983–984 (C.D. Cal. 2024) (ICE policy of warrantless “knock
21 and talk” violated agency’s regulations and thus § 706(2)(A)). Agencies must also adhere to
22 internal procedures designed to provide protections to individuals. *Morton v. Ruiz*, 415 U.S. 199,
23 235 (1974) (“Where the rights of individuals are affected, it is incumbent upon agencies to
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1 follow their own procedures.”); *see also Lopez*, 318 F.3d at 247; *Beshir v. Holder*, 853 F.Supp.2d
2 1, 11 (D.D.C. 2011) (DHS Secretary’s discretion to issue procedural rule pausing processing of
3 adjustment of status applications limited by regulation requiring adjudication in certain
4 timeframe).

5 Accordingly, Defendants are bound to follow their own rules and regulations governing
6 the proper termination of an F-1 student’s record in SEVIS.

7 *ii. Defendants Failed to Follow Their Own Regulations and Procedures*

8 As discussed *supra*, a student’s record in the SEVIS system can be terminated either
9 because the student fails to maintain status, or when the agency initiates a termination of status.
10 8 C.F.R. §§ 214.1(d); 214.2(f). Plaintiff avers that she has remained in full compliance with her
11 F-1 status (Dkt. No. 3-1 at 2) and Defendants have introduced no evidence to the contrary.
12 Agency-initiated termination is governed by 8 C.F.R. § 214.1(d), which enumerates
13 circumstances that result in termination:

14 Within the period of initial admission or extension of stay, the nonimmigrant status of an
15 alien shall be terminated by the revocation of a waiver authorized on his or her behalf
16 under section 212(d)(3) or (4) of the Act; by the introduction of a private bill to confer
17 permanent resident status on such alien; or, pursuant to notification in the Federal
18 Register, on the basis of national security, diplomatic, or public safety reasons.

17 Defendants do not argue that any of these criteria are present here.

18 Additionally, Plaintiff’s single misdemeanor is not a qualifying offense that could
19 lawfully result in SEVIS termination. DHS’s regulations specifically explain what criminal
20 activity results in failure to maintain status for a nonimmigrant:

21 A condition of a nonimmigrant’s admission and continued stay in the United States is
22 obedience to all laws of United States jurisdictions which prohibit the commission of
23 crimes of violence and for which a sentence of more than one year imprisonment may be
24 imposed. A nonimmigrant’s conviction in a jurisdiction in the United States for a crime
of violence for which a sentence of more than one year imprisonment may be imposed

(regardless of whether such sentence is in fact imposed) constitutes a failure to maintain status under section 241(a)(1)(C)(i) of the Act.

8 C.F.R. § 214.1(g). In Washington, a misdemeanor shoplifting charge may be penalized with up to 364 days in jail, or one day short of a year imprisonment. *See* Wash. Rev. Code § 9A.56.050. Additionally, a misdemeanor shoplifting charge likely does not qualify as a crime of violence. *See Borden v. United States*, 593 U.S. 420, 427–430 (2021) (a “crime of violence” is an offense that has as an element of use, attempted use, or threatened use of physical force against another person or their property and excludes offenses committed with a mens rea of negligence or recklessness.). To the extent that Defendants terminated Plaintiff’s SEVIS record merely because their name appeared in a criminal records check, that is inconsistent with Defendants’ own regulation, which renders the decision invalid under § 706(2)(A). *See supra*.

Additionally, the revocation of Plaintiff’s F-1 visa (Dkt. No. 1-2 at 1) does not provide grounds for the SEVIS termination. Recall the distinctions between the F-1 visa and record in the SEVIS system. *See supra*, Section II(A). The former is necessary for admission to the United States, while the latter indicates maintenance of lawful status. 8 C.F.R. §§ 214.2(f)(1); 214.2(f)(5). Congress has granted the Secretary of State and consular officers broad discretion to revoke nonimmigrant visas, and such a determination can only be challenged in removal proceedings. 8 U.S.C. § 1201(i). But the State Department’s own internal policy directs consular officers that “[u]nder no circumstances should you revoke a visa when the individual is in the United States.” *See* 9 FAM 403.11-3(B).⁶ Since Plaintiff was already lawfully admitted to the United States, her admissibility should have no bearing on her continued lawful presence, and Defendants have identified no authority that permits them to terminate a SEVIS record on

⁶ U.S. State Department, Foreign Affairs Manual (last updated Oct. 2, 2024) <https://fam.state.gov/fam/09FAM/09FAM040311.html>.

1 the basis of a visa revocation. ICE’s own internal policy guidance confirms that “[v]isa
 2 revocation is not, in itself, a cause for termination of the student’s SEVIS record.” *Policy*
 3 *Guidance 1004-01—Visa Revocations*.⁷ Likewise, State Department guidance confirms that
 4 after a nonimmigrant exchange student visa is revoked, “the visa is no longer valid for *future*
 5 travel to the United States” but only “*after* the individual’s departure from the United States,
 6 sponsors should terminate his or her program status in SEVIS.” *Guidance Directive 2016-03*
 7 *FAM 403.11-3 – Visa Revocation*.⁸

8 Defendants indicate they are unable to state whether termination of the SEVIS record
 9 invalidates a student’s nonimmigrant status. This position is inconsistent with the regulatory
 10 scheme. First, the SEVIS system provides a school the means to report a student’s compliance
 11 with requirements for maintaining F-1 nonimmigrant status (as indicated on form I-20). *See*
 12 C.F.R. §§ 214.2(f)(1)(iii); 214.3. If a SEVIS record is terminated, the school can no longer
 13 report the student’s compliance; DHS advises that “Once the student has been terminated you
 14 will not be able to take any action on this student or print the student’s record without requesting
 15 reinstatement.”⁹ Thus, the school and the student have no way of establishing the student
 16 remains in valid nonimmigrant status. Second, the SEVIS record termination means “a student
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20 ⁷ *Policy Guidance 1004-01—Visa Revocations*, U.S. Immigration and Customs Enforcement, 3,
 (June 7, 2010) https://www.ice.gov/doclib/sevis/pdf/visa_revocations_1004_04.pdf.

21 ⁸ *Guidance Directive 2016-03* *FAM 403.11-3 – Visa Revocation*, U.S. Dep’t of State Bureau of
 Educational and Cultural Affairs Private Sector Exchange, 1–2, (Sept. 2, 2016)
 22 [https://j1visa.state.gov/wp-content/uploads/2019/05/2016-](https://j1visa.state.gov/wp-content/uploads/2019/05/2016-03_GD_Visa_Revocation_FINAL_Sept_2016.pdf)
[03_GD_Visa_Revocation_FINAL_Sept_2016.pdf](https://j1visa.state.gov/wp-content/uploads/2019/05/2016-03_GD_Visa_Revocation_FINAL_Sept_2016.pdf).

23 ⁹ U.S. Dep’t Homeland Sec., *Study in the States: Complete Program* (July 17, 2024),
 24 [https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-](https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/complete-program)
[terminations/complete-program](https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/complete-program)

loses all on- and/or off-campus employment authorization.”¹⁰ But cancellation of employment authorization can only mean that a student has failed to maintain status and therefore is no longer in nonimmigrant status. *See* 8 C.F.R. § 214.2(f)(9)(ii)(A) (“The employment authorization is automatically terminated whenever the student fails to maintain status.”); 8 C.F.R. § 274a.12(b)(6) (identifying that a nonimmigrant F-1 student who is in valid nonimmigrant status is authorized for employment). Thus, it is inconsistent for the government to acknowledge it terminated Plaintiff’s SEVIS record while failing to acknowledge it has terminated Plaintiff’s lawful nonimmigrant status. To the extent the Government admits to terminating the SEVIS records of students who have properly maintained their status, that would be a misuse of the system and contrary to the relevant regulations.

Accordingly, termination of the SEVIS record because of the misdemeanor charge is inconsistent with agency regulations, which renders the decision invalid. *Nat’l Ass’n of Home Builders*, 340 F.3d at 852; *Wallace*, 802 F.2d at 1552 n.8. Because Defendants’ termination of Plaintiff’s SEVIS record was—based on the limited information currently available—not authorized by and violated their own regulations, Plaintiff is likely to succeed in the argument that the agency action is not in accordance with law under § 706(2)(A).

2. Arbitrary and Capricious for Lack of Explanation

Agency action is considered arbitrary and capricious if “the agency has relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of

¹⁰ U.S. Dep’t Homeland Security, *SEVIS Help Hub: Terminate A Student* (Nov. 7, 2024), <https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/terminate-a-student>.

1 agency expertise.” *Motor Vehicle Mfrs. Ass’n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*,
2 463 U.S. 29, 43 (1983). As the Ninth Circuit has explained, the “critical factor in *Motor Vehicle*
3 was that the agency ‘submitted no reasons at all’ for its decision.” *McFarland v. Kempthorne*,
4 545 F.3d 1106, 1113 (9th Cir. 2008) (citing *Motor Vehicle*, 463 U.S. at 50). The *Motor Vehicle*
5 standard has been applied to review individualized agency decisions as well as agency rules.
6 *See, e.g., Does 1 through 16 v. U.S. Dep’t of Homeland Sec.*, 843 F. App’x 849, 852 (9th Cir.
7 2021); *McNeely v. United States Dep’t of Lab.*, 720 F. App’x 825, 827 (9th Cir. 2017).

8 In this instance, Defendant has failed to meet “the general administrative-law requirement
9 that an agency ‘articulate a satisfactory explanation for its action.’” *Hernandez v. Garland*, 52
10 F.4th 757, 768 (9th Cir. 2022) (quoting *State Farm*, 463 U.S. at 43). Indeed, Defendant has
11 failed to suggest any lawful grounds as to why its action here is lawful under the APA. *Motor*
12 *Vehicle*, 463 U.S. at 50. Defendants’ submission that they “do not concede that Doe #4 has
13 demonstrated a likelihood of success on the merits on her APA claim” but cannot defend it
14 because “DHS and from the Department of State, and Defendants have not completed
15 [factfinding] efforts in time to respond to Doe #4;s motion” is inadequate under governing law.
16 (Dkt. No. 8 at 10.) *C.f. Dep’t of Homeland Sec. v. Regents of the Univ. of California*, 591 U.S. 1,
17 30 (2020).¹¹ The Court declines to “deny Doe #4’s motion even in the absence of this factual
18 information related to the APA claim.” (*Id.*) Indeed, Defendant’s failure to provide a single
19 plausibly lawful explanation for its action—an explanation reasonably grounded somewhere in
20 the statutory scheme—is the exact circumstance contemplated by the arbitrary and capricious

21
22 ¹¹ An agency need not consider every conceivable alternative, but when it is “not writing on a
23 blank slate” it must consider the impact of its actions on vested reliance interests, especially in
24 the immigration context, where individuals make “time-bounded commitment[s], to allow them
to, say, graduate from their course of study.” *Regents*, 591 U.S. at 32–33.

1 standard. *Organized Vill. of Kake v. U.S. Dep’t of Agric.*, 795 F.3d 956, 968 (9th Cir. 2015) (en
2 banc) (“[*Motor Vehicle*] teaches that even when reversing a policy after an election, an agency
3 may not simply [change courses] without a reasoned explanation.”).

4 Accordingly, Plaintiff is also likely to prevail on the claim that the agency action is
5 arbitrary and capricious for failing to “articulate a satisfactory explanation for its action
6 including a rational connection between the facts found and the choice made.” *Motor Vehicle*,
7 463 U.S. at 43.

8 **B. Remaining TRO Factors**

9 **1. Irreparable Harm**

10 Plaintiff faces several forms of irreparable harm as the result of the termination of her
11 SEVIS record. First, the termination of her F-1 status in SEVIS will prevent Plaintiff from
12 finishing a four-year undergraduate degree that she is approximately one year away from
13 completing. (Dkt. No. 3-1 at 1.) Additionally, the sudden loss of Plaintiff’s on campus
14 employment jeopardizes her ability to pay her rent and tuition. (*Id.* at 2.) She is also suffering
15 extreme emotional stress that is impacting her physical health. (*Id.* at 3–4.) What is more, while
16 Defendants have not yet placed Plaintiff in removal proceedings, she faces the prospect of
17 detention, removal proceedings, and ultimately removal because termination of her SEVIS
18 record indicates that she is not maintaining status in her program. *See* 8 U.S.C. § 1227(a)(1)(B)
19 (a person who is not lawfully present is removable). Plaintiff’s fears are not speculative, as
20 DHS’s own public-facing guidance states that a person whose SEVIS record is terminated faces
21 the following consequences:

- 22 • Student loses all on- and/or off-campus employment authorization.
- 23 • Student cannot re-enter the United States on the terminated SEVIS record.

- 1 • Immigration and Customs Enforcement (ICE) agents may investigate to confirm the
- 2 departure of the student.
- 3 • Any associated F-2 or M-2 dependent records are terminated.¹²

4 Importantly, as indicated above, termination revokes all employment authorization and provides
5 ICE agents a basis to investigate a student’s departure, which could only mean the student no
6 longer maintains lawful status in the United States otherwise why the need to confirm their
7 departure.

8 Turning now to examine each irreparable harm in more detail, the Court first concludes—
9 as many courts have before—that interruption of educational programs or progress can constitute
10 irreparable harm. For example, in *Tully v. Orr*, the court held that disenrolling a cadet from the
11 United States Air Force Academy “just prior to his examinations and graduation” would be an
12 irreparable harm where the cadet would face the prospect of having to repeat courses, “delay[] in
13 both his graduation and commissioning,” and a “deleterious effect” on his future in the force.
14 608 F. Supp. 1222, 1225, 1226 (E.D.N.Y. 1985). In similar proceedings across the country,
15 courts have found that “[t]he loss of timely academic process alone is sufficient to establish
16 irreparable harm” where the termination of F-1 student status in SEVIS will likely prevent the
17 student from completing their degree program. *Isserdasani v. Noem*, No. 25-CV-283-WMC,
18 2025 WL 1118626, *5 (W.D. Wis. Apr. 15, 2025); *see also B K v. Noem*, No. 1:25-CV-419,
19 2025 WL 1171572 (W.D. Mich. Apr. 23, 2025) (“The loss of timely academic progress, whether
20 such progress is accomplished in preparing a dissertation or gaining practical work experience, is
21 simply not compensable by money damages”); *Doe, v. Noem*, No. 3:25-CV-00023, 2025 WL

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23 ¹² See Dep’t Homeland Security, *SEVIS Help Hub: Terminate A Student* (Nov. 7, 2024.)
24 <https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/terminate-a-student>.

1 1161386, *6 (W.D. Va. Apr. 21, 2025); *Yang v. Noem*, No. 25-CV-292-WMC, 2025 WL
2 1166521, *4 (W.D. Wis. Apr. 22, 2025) (“Given the amount of Yang’s educational expenses and
3 potential losses from having to leave the United States without obtaining her degree, the court
4 concludes that Yang credibly demonstrates that she faces irreparable harm for which she has no
5 adequate remedy at law in the absence of injunctive relief”); *Ratsantiboon v. Noem*, No. 25-CV-
6 01315 (JMB/JFD), 2025 WL 1118645, *2 (D. Minn. Apr. 15, 2025); *Patel v. Bondi*, No. 1:25-
7 CV-00103, 2025 WL 1158708, *2 (W.D. Pa. Apr. 21, 2025); *Saxena v. Noem*, No. 5:25-CV-
8 05035-KES, 2025 WL 1149498, *2 (D.S.D. Apr. 18, 2025); *Chen v. Noem*, No. 25-CV-03292-
9 SI, 2025 WL 1150697, *5 (N.D. Cal. Apr. 18, 2025). Here, as in those cases, the termination of
10 Plaintiff’s student status places nearly three years of hard work towards her undergraduate
11 degree in jeopardy.

12 Likewise, under circumstances where a plaintiff’s work and lawful immigration status are
13 interlinked, courts have held that the loss of work authorization is irreparable harm. *See Casa de*
14 *Maryland, Inc. v. Wolf*, 486 F. Supp. 3d 928, 968 (D. Md. 2020), *order dissolved sub nom. Casa*
15 *de Maryland, Inc. v. Mayorkas*, No. 8:20-CV-2118-PX, 2023 WL 3547497 (D. Md. May 18,
16 2023) (a delay in an asylum seeker obtaining work authorization is an irreparable harm because
17 “every additional day these individuals wait will visit[] on them crippling dependence on the
18 charity and good will of others”); *Batalla Vidal v. Nielsen*, 279 F. Supp. 3d 401, 434 (E.D.N.Y.
19 2018), *vacated and remanded sub nom. Dep’t of Homeland Sec. v. Regents of the Univ. of*
20 *California*, 591 U.S. 1 (2020) (finding that if the DACA program were terminated, resulting loss
21 of work authorization for DACA recipients would be an irreparable harm). As another court in
22 similar proceedings recently explained: “as a result of the SEVIS termination, [the plaintiff] is no
23 longer authorized to engage in on-campus employment”—the only potential source of
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1 employment for F-1 visa holders, who cannot generally work off campus. *Oruganti v. Noem*,
2 No. 2:25-CV-00409-ALM-EPD, 2025 WL 1144560, *4 (S.D. Ohio Apr. 18, 2025). Although
3 this represents economic harm, “it is irreparable because money damages are likely not
4 available” in APA cases like this one. *Id.* (collecting cases).

5 Next, the Court considers the threat of removal. Removal is not by itself an irreparable
6 harm, in part because removal is (in at least some instances) reversible. *See Nken*, 556 U.S. at
7 430. However, in this case, the ordinary harms of removal would compound the other harms
8 Plaintiff faces by effectively eliminating her ability to complete her degree program, placing her
9 education, financial stability and career trajectory in jeopardy. Courts across the country have
10 come to the same conclusion. *See, e.g., B.K. v. Noem*, No. 1:25-CV-419, 2025 WL 1171572
11 (W.D. Mich. Apr. 23, 2025), *Hinge v. Lyons*, No. CV 25-1097 (RBW), 2025 WL 1134966, *5
12 (D.D.C. Apr. 15, 2025). Although Plaintiff could perhaps hypothetically transfer her coursework
13 credits to an academic institution in another country, “Plaintiffs are not required to eliminate all
14 alternative [] paths in order to meet their burden under this factor.” *B.K.*, 2025 WL 1171572, at
15 *8.

16 Finally, Plaintiff describes severe psychological distress, including such a profound fear
17 of leaving her home that she is foregoing necessary medical treatment. (Dkt. No. 3-1 at 4.) She
18 is “overwhelmed by fear and anxiety” and “cr[ies] frequently.” (*Id.*) The Ninth Circuit has
19 found that emotional distress, depression, and anxiety constitute irreparable harm under certain
20 circumstances. *Chalk v. U.S. Dist. Ct. Cent. Dist. of California*, 840 F.2d 701, 709–710 (9th Cir.
21 1988). In *Chalk*, the plaintiff was a teacher of hearing-impaired children. After he developed
22 AIDS, the school board removed him from the classroom and assigned him to administrative
23 tasks despite his presentation of evidence that his presence in the classroom posed no danger to
24

1 the students. *Id.* at 703. The Ninth Circuit granted a preliminary injunction, finding that the
2 Plaintiff’s “injury [was] emotional and psychological—and immediate. Such an injury cannot be
3 adequately compensated for by a monetary award after trial.” *Id.* at 710.

4 While “the emotional distress normally suffered upon the loss of a job will not support
5 the issuance of preliminary relief,” the emotional and psychological distress triggered by the loss
6 of one’s undergraduate degree, employment, and living circumstance is both unusual and
7 extreme. *Remlinger v. State of Nev.*, 896 F. Supp. 1012, 1017 (D. Nev. 1995). Moreover, as
8 other courts have commented, the fear of removal is significant—and not ill-founded—in these
9 cases. *See Madan*, 2025 WL 1171572, citing *Ozturk v. Trump*, No. 25-CV-10695-DJC, 2025
10 WL 1009445, at *1 (D. Mass. Apr. 4, 2025) (“[W]ithout prior notice of the revocation of her
11 student visa or the grounds asserted for same, Ozturk, a graduate student in Child Study and
12 Human Development at Tufts University, was approached and surrounded by six officers
13 (several wearing masks and/or hoods), stripped of her cellphone and backpack, handcuffed, and
14 taken into custody in an unmarked vehicle.”). Accordingly, this case bears a stronger similarity
15 to instances where courts have found that emotional harm constitutes irreparable harm than to
16 “run of the mill” job loss cases. *See, e.g., EEOC v. Chrysler Corp.*, 546 F. Supp. 54, 70 (E.D.
17 Mich. 1982) *aff’d*, 733 F.2d 1183 (6th Cir.1984); *Shapiro v. Cadman Towers, Inc.*, 844 F. Supp.
18 116, 122 (E.D.N.Y. 1994); *Caspar v. Snyder*, 77 F. Supp. 3d 616, 640 (E.D. Mich. 2015); *United*
19 *States v. Matusoff Rental Co.*, 494 F.Supp.2d 740, 756 (S.D. Ohio 2007). Thus, the Court
20 concludes that extreme psychological distress caused by the termination of Plaintiff’s student
21 status may well represent an irreparable injury for which “there can be no do over and no
22 redress.” *Nat’l Council of Nonprofits*, ___ F. Supp. 3d ___, ___, 2025 WL 368852, at *13
23 (quoting *League of Women Voters of the U.S. v. Newby*, 838 F.3d 1, 9 (D.C. Cir. 2016)). When
24

1 taken in combination, the harm threatened to Plaintiff is substantial: loss of employment
 2 authorization, loss of undergraduate degree, loss of job prospects, life under the threat of
 3 immediate removal, and extreme psychological distress.

4 2. There is a Public Interest in Enforcement of Valid Regulations, and Balance of
 5 Equities Favor Plaintiff

6 “When the government is a party, the balance of equities and the public interest factors
 7 merge.” *Nken*, 556 U.S. at 435. The public has a vested interest in a federal government that
 8 follows its own regulations. As one court framed it: “the public has a strong interest in having a
 9 [government] that conducts itself fairly and according to its stated regulations and policies.”
 10 *Cooney v. Dalton*, 877 F. Supp. 508, 515 (D. Haw. 1995); *see also Eight N. Indian Pueblos*
 11 *Council, Inc. v. Kempthorne*, No. CV 06-745 WJ/ACT, 2006 WL 8443876, *5 (D.N.M. Sept. 15,
 12 2006) (“It is in the public interest that federal agencies comply with their own policies and with
 13 federal statutes.”). Here, Defendants assert that the public interest factors tip in their favor
 14 because the “public interest lies in the Executive’s ability to enforce U.S. immigration laws.”
 15 (Dkt. No. 8 at 11.) However, Defendants have provided *no indication* that they complied with
 16 the relevant statutory scheme in enforcing immigration laws in this case. Accordingly, this is a
 17 set of circumstances where the government and its decision-making processes will be best served
 18 by judicial review of a decision—and maintenance of the status quo during that review—that
 19 appears both unlawful and likely to cause Plaintiff irreparable harm. Moreover, Defendants have
 20 not put forth evidence of how a TRO would cause them injury or harm. For these reasons, the
 21 Court determines that the balance of the equities and public interest factors tip sharply in
 22 Plaintiff’s favor.

23 Finally, the Court addresses Defendant’s argument that Plaintiff is “not only seeking to
 24 preserve the status quo on a temporary basis” but is rather requesting “an order compelling the

1 defendants to change the status quo” because “she seeks emergency restoration of a record that
2 has already been marked as terminated.” (Dkt. No. 8 at 6.) Courts have long held that the “status
3 quo ante litem” for the purposes of considering a temporary restraining order or preliminary
4 injunction “refers not simply to any situation before the filing of a lawsuit, but instead to ‘the last
5 uncontested status which preceded the pending controversy.’” *GoTo.com, Inc. v. Walt Disney*
6 *Co.*, 202 F.3d 1199, 1210 (9th Cir. 2000) (quoting *Tanner Motor Livery, Ltd. v. Avis, Inc.*, 316
7 F.2d 804, 809 (9th Cir. 1963). An interpretation of “status quo as the moment before filing a
8 lawsuit but after alleged misconduct began “would lead to absurd situations, in which plaintiffs
9 could never bring suit once infringing conduct had begun.” *Id.*

10 This standard has been applied to government action as well as private disputes. *See*,
11 *e.g.*, *Doe #1 v. Trump*, 957 F.3d 1050, 1068–1069 (9th Cir. 2020); *S.A. v. Trump*, No. 18-CV-
12 03539-LB, 2019 WL 990680, *13 (N.D. Cal. Mar. 1, 2019). For example, in *S.A.*, the court
13 concluded that the status quo ante litem was the point before DHS stopped processing
14 conditionally approved beneficiaries under a dual refugee/parole program. *See S.A.*, 2019 WL
15 990680, at *13. Accordingly, the court vacated DHS’s decision to mass-rescind conditional
16 approvals for 2,714 beneficiaries pending a final determination on the merits because that
17 maintained the status quo ante litem. *Id.* at *17. Similarly, in this case, the “legally relevant
18 relationship between the parties before the controversy arose,” describes the state of affairs *prior*
19 to the termination of Plaintiff’s SEVIS record. *Ariz. Dream Act Coalition v. Brewer*, 757 F. 3d
20 1053, 1060–1061 (9th Cir. 2014). Accordingly, Defendant’s argument that “the relief Doe seeks
21 is not a prohibitory injunction to maintain the status quo” is frustrated by decades of Ninth
22 Circuit caselaw. (Dkt. No. 8 at 2.)
23
24

1 Finally, Defendant advances a confused argument that posits Plaintiff seeks “a final
2 judgement on the merits” because a TRO is part of the final relief outlined in her complaint.
3 (*Id.*) Defendants are correct that “it is generally inappropriate for a federal court at the
4 preliminary-injunction stage to give a final judgment on the merits.” *University of Texas v.*
5 *Camenisch*, 451 U.S. 390, 395 (1981). But what the *Camenisch* court was communicating was
6 that findings of fact and conclusions of law made by a court in a preliminary injunction or TRO
7 posture are preliminary and do not bind the court at the trial on the merits. *Id.* at 395–398. Thus,
8 it is not appropriate to enter a *final judgement* at a TRO stage. *Id.* That is not what the Court is
9 doing here. As the S.A. court emphasized, “nothing in *Camenisch* holds that the scope of a
10 preliminary injunction cannot overlap with the relief requested for an eventual final judgment.”
11 S.A., 2019 WL 990680, at *16 n.59. Here, as in S.A., the order makes no final findings on the
12 merits and merely returns the parties to the status quo ante litem.

13 Here, as in S.A., the order makes no final findings on the merits and merely returns the
14 parties to the status quo ante litem.

15 **C. The Court Will Not Require a Bond**

16 Under Federal Rule of Civil Procedure 65(c), in granting a PI or TRO, the court must
17 require a movant to pay security “in an amount that the court considers proper to pay the costs
18 and damages sustained by any party found to have been wrongfully enjoined or restrained.” The
19 Ninth Circuit has held that “[d]espite the seemingly mandatory language, Rule 65(c) invests the
20 district court with discretion as to the amount of security required, *if any*.” *Johnson v. Couturier*,
21 572 F.3d 1067, 1086 (9th Cir. 2009) (quoting *Jorgensen v. Cassidy*, 320 F.3d 906, 919 (9th Cir.
22 2003)) (cleaned up). “In particular, ‘[t]he district court may dispense with the filing of a bond
23 when it concludes there is no realistic likelihood of harm to the defendant from enjoining her or
24

her conduct.” *Id.* (quoting *Jorgensen*, 320 F.3d at 919). Here, Defendants request that the Court impose a bond “in an amount the Court determines to be appropriate.” (Dkt. No. 12 at 10.) Defendants do not account for any costs they allege they will face if the TRO is issued erroneously, and the Court perceives none. Here, Defendants will face no cost from Plaintiff continuing her studies as she did before her SEVIS was terminated, and negligible or zero cost from restoring her SEVIS status to active. Plaintiff’s only criminal history is a misdemeanor, and she poses little if any risk to the public. The Court therefore exercises its discretion to waive the bond requirement.

VI CONCLUSION

Accordingly, it is ORDERED that Plaintiff’s Motion for a Temporary Restraining Order (Dkt. No. 3) is GRANTED. Defendants are ENJOINED for a period of fourteen days from the date of this order, as follows:

- 1) Defendants shall restore Plaintiff’s F-1 student record and I-20 in the Student and Exchange Visitor Information System (SEVIS);
- 2) Defendants shall set aside the April 8, 2025 F-1 student record and I-20 termination as to Plaintiff;
- 3) Defendants shall not terminate Plaintiff’s student record and I-20 in SEVIS absent a valid ground as set forth in 8 C.F.R. §§ 214.1(d)–(g); 214.2(f).
- 4) Defendants are prohibited from detaining or transferring Plaintiff out of this Court’s jurisdiction, or ordering the detention or transfer of Plaintiff out of this Court’s jurisdiction, as a result of the termination of her F-1 student record or I-20 in SEVIS on April 8, 2025; and

5) Defendants are prohibited from initiating removal proceedings against or deporting Plaintiff on the basis of the April 8, 2025 termination of her F-1 student record or I-20 in SEVIS.

It is furthered ORDERED that the security requirement of Rule 65(c) is waived. The Court ORDERS the Parties to appear for a Preliminary Injunction hearing at 1:30 p.m. PT on May 7, 2025.

Dated this 25th day of April, 2025.



David G. Estudillo
United States District Judge